

Frederick County Board of Appeals

Meeting Minutes
November 19, 2015

Mr. John Greenwell, Chair, called to order the regular hearing of the Frederick County Board of Appeals ("Board") for Thursday, November 19, 2015 ("Hearing") at 7:00 p.m. in the 2nd. Floor Hearing Room in Winchester Hall, Frederick, MD. In addition to the Chair, present were Board members Mr. Wayne Robinson, Mr. Earl Bell, Mr. Don Miller and Mr. Mike Bowersox. Also present were Ms. Kathy Mitchell, Assistant County Attorney, and for the Community Development Division ("Staff") Mr. Larry Smith, Zoning Administrator and Mr. Craig Terry, Planner.

Official Minutes of the Board of Appeals' meetings are kept on file in the Community Development Division.

Introductions and Administrative Matters

The Chair welcomed the audience to the hearing and requested that all cell phones and other electronic devices be turned off.

Approval of Minutes

On a motion by Mr. Miller, seconded by Mr. Robinson, the Board approved the minutes of the October 22, 2015 meeting by a vote of 4-0 with Mr. Bowersox abstaining.

Site Visits

All Board members present, indicated that they had visited the site for the only Case before them.

Rules and Procedures

The Chair stated the rules and procedures for the hearing and swore in all persons who expected to testify or cross-examine at the hearing.

Case

B-15-24 **Monocacy Montessori Communities, Inc.**

The Applicant, Monocacy Montessori Communities, Inc. request for a Temporary Special Exception request to expand a previously approved charter school as per Zoning Ordinance Sections 1-19-3.210 and 1-19-8.300. The property is located on the corner of Crestwood Boulevard and Corporate Court (7215 Corporate Court, Tax Map 86, Parcel 0215, Lot 17) and is zoned Office/Research/Industrial (ORI).

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The Applicable Zoning Ordinances are:

- 1-19-3.210 Special Exceptions
- 1-19-8.300 Temporary Special Exception approval.

The Applicant had requested in writing that the Board change the approval of their Temporary Special Exception Permit from an annual-approval to a five-year approval. Based on the recommendation from Ms. Mitchell, the Board dismissed the Applicants request.

Mr. Terry read the staff report. Mr. Smith noted no comments from Utilities and Solid Waste. The Applicant presented their case. No witnesses spoke in favor or in opposition to the proposal. Based upon the evidence and testimony presented at the hearing, the Board discussed and found that the request for a Special Exception met the requirements of the Zoning Ordinance Sections 1-19-3.210 and 1-19-8.300. On a motion by Mr. Bowersox, seconded by Mr. Bell, the Board voted 5-0 to grant the Applicant's request for approval of the Temporary Special Exception.

The meeting adjourned at 7:16 p.m.

Respectfully submitted,
Donald L. Miller, Secretary